

Docket No. 23-4509

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

United States of AmericaPlaintiff-Appellee,

v.

Russell Lucius LaffitteDefendant-Appellant.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA,
BEAUFORT DIVISION, RICHARD M. GERGEL, DISTRICT JUDGE

JOINT STATUS REPORT

William W. Wilkins
MAYNARD NEXSEN PC
104 S. Main Street, Suite 900
Greenville, SC 29603-0648
Phone: 864.370.2211
Fax: 864.282.1177
Email: bwilkins@maynardnexsen.com

John C. Neiman, Jr.
MAYNARD NEXSEN PC
1901 Sixth Avenue North, Suite 1700
Birmingham, AL 35203
Phone: 205.254.1000
Fax: 205.254.1999
Email: jneiman@maynardnexsen.com

Counsel for Russell Lucius Laffitte

Mark C. Moore
Michael A. Parente
MAYNARD NEXSEN PC
1230 Main Street, Suite 700
Columbia, SC 29201
Phone: 803.771.8900
Fax: 803.253.8277
Email: mmoore@maynardnexsen.com
Email: mparente@maynardnexsen.com

Adair F. Boroughs
United States Attorney
Kathleen M. Stoughton
Emily Evans Limehouse
Winston D. Holliday, Jr.
Assistant United States Attorneys
1441 Main Street, Suite 500
Columbia, SC 29201
Tel. (803) 929-3000
Email: Kathleen.Stoughton@usdoj.gov

Counsel for United States of America

Defendant-Appellant Russell Lucius Laffitte (“Laffitte”) and Plaintiff-Appellee United States of America (“the government”) jointly provide this status report to this Court regarding the status of Laffitte’s reporting date to the Bureau of Prisons.

On August 8, 2023, Laffitte notified the district court of his intention to appeal. Dkt. 319. On August 14, 2023, Laffitte filed a Motion for Release Pending Appeal with this Court. Docket # 23-4509, ECF No. 12. On August 25, 2023, the government filed its Response in Opposition. Docket # 23-4509, ECF No. 25. Two business days later, on August 29, 2023, Laffitte filed his Reply to the government’s Response. Docket # 23-4509, ECF No. 33. As of the time of this filing, this Court has not yet issued an Order on the Motion for Release Pending Appeal.

On August 18, 2023, Laffitte was notified that he must report to a Bureau of Prisons facility in Sumterville, Florida by September 14, 2023 at 12 p.m.¹ On August 21, 2023, Laffitte filed an initial motion for an extension of his reporting deadline with the district court, a motion to which the government consented. Dkt. 324, attached as **Exhibit A**. Shortly thereafter, the district court granted that Motion and extended Laffitte’s reporting deadline until September 21, 2023. Dkt. 325, attached as **Exhibit B**. The same day, the government notified this Court

¹ The facility is over five hours away from Laffitte’s residence, so travel arrangements must be made ahead of time.

that Laffitte's reporting date had been extended to September 21, 2023. Docket # 23-4509, ECF No. 19 at 2.

As this new reporting deadline was approaching, Laffitte filed a second motion for extension of his reporting deadline (Dkt. 331, attached as **Exhibit C**). The district court directed the government to respond (Dkt. 332, attached as **Exhibit D**) and, in its response, the government indicated it did not object (Dkt. 333, attached as **Exhibit E**). Following a telephonic status conference on the second motion on September 20, 2023, the district court granted a one-week extension for Laffitte to report to the Bureau of Prisons until September 28, 2023 at 12 p.m. Dkt. 335, attached as **Exhibit F**. The district court stated that “[n]o further extension will be granted.” *Id.*

Dated: September 25, 2023

Respectfully submitted,

ADAIR F. BOROUGHS
UNITED STATES ATTORNEY

By: /s/ Kathleen M. Stoughton

Kathleen M. Stoughton
Emily Evans Limehouse
Winston D. Holliday, Jr.
Assistant United States Attorneys
1441 Main Street, Suite 500
Columbia, SC 29201
Tel. (803) 929-3000
Email: Kathleen.Stoughton@usdoj.gov

*Counsel for Plaintiff-Appellee the
United States of America*

/s/ William W. Wilkins

William W. Wilkins
MAYNARD NEXSEN PC
104 S. Main Street, Suite 900
Greenville, SC 29603-0648
Phone: 864.370.2211
Fax: 864.282.1177
Email: bwilkins@maynardnexsen.com

Mark C. Moore
Michael A. Parente
MAYNARD NEXSEN PC
1230 Main Street, Suite 700
Columbia, SC 29201
Phone: 803.771.8900
Fax: 803.253.8277
Email: mmoore@maynardnexsen.com
Email: mparente@maynardnexsen.com

John C. Neiman, Jr.
MAYNARD NEXSEN PC
1901 Sixth Avenue North, Suite 1700
Birmingham, AL 35203
Phone: 205.254.1000
Fax: 205.254.1999
Email: jneiman@maynardnexsen.com

*Counsel for Defendant-Appellant
Russell Lucius Laffitte*

CERTIFICATE OF COMPLIANCE

As required by Rule 32(g)(1) of the Federal Rules of Appellate Procedure, I hereby certify that this Motion is in compliance with the type form and volume requirements. This Motion was prepared using Microsoft Word 2016. It is proportionately spaced; uses a Roman-style, serif typeface (Times New Roman) of 14-point; and contains 350 words exclusive of the material not counted under Rule 32(f) of the Federal Rules of Appellate Procedure.

Dated: September 25, 2023

/s/ William W. Wilkins

William W. Wilkins

*Counsel for Defendant-Appellant
Russell Lucius Laffitte*

CERTIFICATE OF SERVICE

I certify that on September 25, 2023, the foregoing filing was served on all counsel of record for the parties through the CM/ECF system.

Dated: September 25, 2023

/s/ William W. Wilkins

William W. Wilkins

Counsel for Defendant-Appellant

Russell Lucius Laffitte